IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.6958 of 2000

Between:

Dr. E. Venkateswarlu, S/o. Sri Guruvaiah,

Govt. Ayurvedic Dispensary, Chilver,

Mahaboobnagar District.

..... PETITIONER

AND

1. The N.T.R. University of Health Sciences, Vijayawada,

Krishna District, rep. by its Registrar.

2. The Government of Andhra Pradesh, rep. by its

Secretary, Health & Medical Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus directing respondent to observe and follow rule of reservation in respect of the two seats in the branch and specialization Kaya Chikitsa and the other two seats in the other branch and specialization of Salya Salakya and Prasuti Tantra of M.D. (Ayurveda) Course by allotting second seat in each of the above mentioned 2 branches S.C. candidate in respect of the seats earmarked for in service candidates after declaring the relative portion of the rules mentioned in G.O.Ms. No.373 dated 24.9.1996 amending G.O. Ms. No.341 dated 29.5.1985 is illegal and void.

Counsel for the Petitioner: Mrs. T. JAYANTHI

Counsel for the Respondent No.1: DR.Y.PADMAVATHI

Counsel for the Respondent No.2: GP FOR HIGHER EDUCATION

The Court made the following:

-

-

-

ORDER:

The petitioner herein is Medical Officer, Government Ayurvedic Dispensary at Chilver in Mahaboobnagar District. He claims to belong to Scheduled Caste-C Community. He appeared for entrance test as in service candidate for admission to 1st year M.D. (Ayurveda) for the academic year 1998-'99 and claimed to be obtained rank No.124. He also appeared for the counselling. He alleges that among the inservice candidates of S.C. community, he is first rank holder in the entire State of Andhra Pradesh, and therefore, he is entitled to the second seat in each of the clinical subjects of Kaya Chikitsa and Salya Salakya & Prasuti Tantra (K.C. and SSP). However, he was not admitted. Therefore, he filed the writ petition seeking declaration that the portion of G.O. Ms. No.373 dated 24.9.1996 regarding reservation of seats in two clinical branches of K.C. and S.S.P. in M.D. (Ayurveda) Course to S.C. inservice candidates as illegal, arbitrary and consequently seeking direction to the respondents to allot one S.C. reserved seat to the petitioner in M.D. (Ayurveda) in K.C. and S.S.P. subjects. As pointed out by the learned Standing Counsel for N.T.R. University for Health Sciences, the subject matter of the writ petition relates to M.D. (Ayurveda) course for the academic year 1998-19

99. Therefore, at this point of time, no direction can be granted to the respondents. The prayer made in the writ petition has become infructuous.

The writ petition is therefore dismissed. No costs.

_____

V.V.S. RAO, J

October 27, 2004.

YS

To

1. The Registrar, N.T.R. University of Health Sciences,

Vijayawada, Krishna District.

2. The Principal Secretary, Health & Medical Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.

3. Two CCs to the Government Pleader for Higher Education,

High Court Buildings, Hyderabad (O.U.T)

4. Two C.D. Copies.